

Gregory Sclafani
85480-058
Metropolitan Det Center
PO Box 32900L
BRKLYN, NY 11232

Honorable Dennis R. Hurley USOT
100 Federal Plaza
Central Islip, NY 11722

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 10 2015 ★

RE: U.S. V. GREGORY SCLAFANI CASE NO. 14-639 LONG ISLAND OFFICE
SUBJECT: Request FOR CHANGE OF LAWYER AND OBTAIN BAIL;

Dear Honorable Dennis R. Hurley:

Sir, please forgive me for having to send a letter with such poor condition and in pencil but the jail would allow me to use a computer to type this nor would give me a pen to use. I am also sorry to have you read such a lengthy letter but - this is my life, so if you would please read it in its entirety.

Sir, I ask this court to adjourn this status hearing so I can obtain a different attorney who will assist me to prepare by investigating my case, and to file motions to suppress certain evidence based on misinformation and known falsehoods used to indict me, in an effort to improperly convict me. This is necessary to protect my constitutional Amendment sixth and fifth, Right and due process of Law Rights, as announced by the U.S. Supreme court.

FACTS:

My appointed present lawyer (Leonard Lupo) has adopted the position that I should concede plea arrangements with the Government without being given all Discovery, Facts and Knowing guilt, well that the government is trying to hold me responsible for crimes I did not own nor operate. I have at least 506

(2)

companies I did not own and some I did not
 solely operate. They are listed in my indictment
 as being the sole owner and operator along with
 dollar amounts that represent almost the total
 indictment. He refuses to fill any motions to
 suppress the government in connection of me to this
 case, all in violation of the Supreme Court teaching
 in the case of *Townsend v. Runkel*, (1948) 334 U.S. 436,
 740-41, 68 S. CT. 1252, 1255, 92 L. ED 1690, (CONVICTION/SENTENCE
 CANNOT BE BASED ON MISINFORMATION) (I WILL BEING ~~evidence~~
 WITH ME ON FR 4/10) Evidence

I no longer have confidence in my lawyer for he
 is not interested in getting me convicted and no interest
 in assisting me effectively. This is an obvious conflict,
 as my lawyer wants to help the government convict me.
 Arguably, if my lawyer really to look out for my
 interest, he would give me a full and complete copy of
 my discovery for which he has ^{not} and properly discuss
 my case with me. If in his *frank* legal expertise
 and experience, if my trial did not look good or
 in my favor, he would call a stipulated fact trial
 before the trial judge, to present my 5th and 6th amendment
 rights as set out in the case of *Alleyne v. US*
 (2013) 133 S. CT. 2151.

I request this court ^{to} adjourn the status hearing
 and appoint me a new attorney to assist me in
 my case. I request the above because the US Supreme
 Court says, "the right to counsel means the right
 to effective assistance of counsel. Justice is based
 on the search for the truth, not 'conviction by
 any means necessary'". Please grant this request
 to protect my constitutional 5th & 6th Amendment
 rights.

(3)

I am 63 years of age and have been in business for over 40 years. I went to City College while being in business with my dad. As you know, for I believe you are around my age, in ~~our~~ our day being in college was a great thing to our families. I have lived in Long Island all my life and have never been in trouble ~~any~~ time in my life. I don't even have a driving summons against me.

I have been in the transport business ~~handled~~ ^{handled} all sorts of product. From grocery to television to automobiles. I was the president and founder of Grocery Haulers Association of America which became a nationwide organization. I ~~had~~ ^{had} many contracts with the likes of Narisco Branch, Borden products, Beatrice Foods and many other large firms. I have made lectures on the transportation industry ~~to~~ ^{to} up & coming traffic managers of many firms. In fact, the government is still holding a CD of such that will not release back to me.

My most recent venture which I say ~~was~~ ^{was} not so successful was arranging the transport of automobiles. I have serviced many judges like your self such as (SCJ) ~~off~~ ^{off} from (Central Island to Florida) (SCJ) ~~lady~~ ^{lady} (same route) Chief Judge of Supreme Court ~~Minea~~ (Glen Cove to Florida) Ret. Nassau Police Commissioner John Kennedy (Bayville to Florida). I have also serviced many movie stars and sports figures. I also was the president of the Bayville Housing Association for 8 years responsible for handling large ~~amounts~~ ^{amounts} of money and supervising road repair. Police.

Fire, Landscaping, etc. With these CREDITALS
I can't be such a BAD guy.

I am now sitting in a JAIL cell writing you this letter
in which I am not allowed out of cell, make any calls
or E-MAILS. I was put here so they say for my protection
(ADMINISTRATION DETENTION) NOT DISCIPLINARY DETENTION FOR
which the prosecutor is misrepresenting himself because
he does not know the facts (I will bring the evidence
to me on 4/10).

I was BEAT UP, EXTORTED, AND ROBBERED while in the JAIL.
Now have pain in my head, ringing in my ear and
lash backs of the occurrence. Because of my age
and they think I have money this happened to me.
Putting me in these RESTRAINTS has not helped but
made things worse and they refuse to understand
that. Even the doctor told them they say SIS
needs to conduct an investigation and this could
take over a month. That is nonsense your honor,
you know that as well as I. They are trying to
stiffle me because they know the JAIL is responsible
or that ^{should} not have happened to anyone. As mentioned before
I (SO CALL) CRIMINAL is non-violent and nothing
compared to what I am exposed to such as MURDERS,
DRUG DEALERS, GUN RUNNERS, MOBSTERS etc. I should
not be here. Your Honor I beg of you to release me
on BAIL which for the life of me I don't know
why you want. ~~How~~ ^{How} could the government keep me
locked up for almost 6 months now for a
CRIMINAL that does not even call for JAIL time at
all based on the merits of the case. It is time I am
let out of JAIL and prove myself innocent on these
charges. I need to be able for which I am entitled
to gather the paper sensitive, computer sensitive
and leg work to prove my innocence.

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I'm SURE YOUR HONOR UNDERSTANDS what IS
RIGHT IN MY CIRCUMSTANCES.

I HAVE BEEN INVESTIGATED OVER THE 40 YEARS
IN BUSINESS BY ALL AGENCIES YOU CAN THINK OF.

BBB, CONSUMER PROTECTION AGENCIES IN OUR STATE
AND OTHER STATES, IRS, STATE POLICE, AND
ATTORNEY GENERAL OF NASSAU COUNTY AND OTHER
STATES. I ALWAYS COOPERATED AND NEVER
WALKED AWAY FROM ANY OF THEM. I DON'T
INTEND TO START NOW AT THIS STAGE OF MY LIFE.
I NEED TO END MY BUSINESS CAREER WITH A
CLEAN NAME. I WILL DEAL WITH THIS NOW
ALSO. AND BY THE WAY, NO AGENCY HAS EVER
FOUND BE GUILTY OF CRIMINAL WRONG DOINGS AND
I'M SURE NEITHER WILL THE COURT.

YOUR HONOR, I COULD NOT BE A FLIGHT RISK, BECAUSE
OF SOME OF THE THINGS I HAVE INDICATED BUT
THERE IS MORE WHICH I WILL PRESENT TO YOU
ON 4/10. SUCH AS THE AGENCIES THAT HEADED
UP THIS ARREST HAVE ALREADY INVESTIGATED
ME YEARS BACK AND COULD NOT FIND ANY
WRONG DOING OR CRIMINAL ACTS.

I CANNOT BE A MENIS TO THE PUBLIC FOR
THE GOVERNMENT HAS MANAGED TO PUT ME OUT
OF BUSINESS WHICH IS PROBABLY THE BEST THING
BECAUSE THE BUSINESS WAS NO LONGER BEING
PROFITABLE.

I ALSO DO NOT OWN A PASSPORT!!

over 7

2) Please accept a BAIL motion, asking that I be discharged on BAIL on my own recognizance by using a signature bond. Although I do have one surety to sign who is a business owner who I gave a 1/2 my business to provide service to my customers per direction of the NY Attorney General's office. One should be more than enough.

I believe again BAIL is possible as the court has to first investigate the fact of the false evidence knowingly being used to create probable cause to have me indicted and arrested. I should not have to sit in prison while this happens. I am not a flight risk, or a danger to any person. I was already told I qualify for bail by this court. The 8th Amendment prohibits excessive bail. That standard should be applied to this case. As no bail is equivalent to excessive bail. A motion to dismiss the indictment should be made for false evidence was used to manufacture probable cause to arrest, indict and incarcerate me.

Again I been in jail 6 months have only gotten legal advice 5 times by counsel. That is ridiculous. What kind of legal assistance is that. I have never been directed properly. First I was told that the court would accept a bail bondsman standard conditions. Then I was told that is not possible. Then I was told that I needed signatures of anyone who would sign. I tried because I have no family since my divorce to ask random individuals or acquaintances even by paying their expenses that I could not do that. The prosecutor is trying is held against me my efforts to obtain such, knowing that I am not savvy to the requirements.

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 YOUR HONOR, THIS CASE COULD GO ON FOR OVER A YEAR. DOES THE GOVERNMENT EXPECT TO KEEP ME IN JAIL ALL THAT TIME??? Especially with a case like this. ~~It~~ Does NOT CALL FOR JAIL TIME ALREADY WITH THE TIME I HAVE SERVED.

MY SOCIAL SECURITY HAS BEEN STOPPED UNTIL I AM RELEASED ON BAIL. I WILL LOSE MY HOME AND ALL ITS BELONGINGS AND MY AUTOMOBILE IF I CANNOT ATTEND TO THOSE THINGS ASAP. I HAVE NOT BEEN PROVEN GUILTY AT THIS TIME FOR ANYTHING, NEVERTHELESS THE THINGS THAT I HAVE BEEN ACCUSED OF THAT I SHOULD BE PUNISHED IN THE WAY I HAVE. IF YOU FEEL MORE COMFORTABLE IF YOU MUST, YOU CAN ASSIGN ME HOME SUPERVISION WITH A BRACKET. I DON'T SEE THE NEED OF THAT BUT IT WOULD ALLOW ME TO DO WHAT IS NEEDED TO DEFEND MY CASE, SEE MY ATTORNEY, AND TAKE CARE OF IMPORTANT ~~PERSONAL~~ PERSONAL ISSUES AS MENTIONED.

LASTLY

AT THE LAST COURT APPEARANCE THE DIRECTIVE YOU GAVE THE PROSECUTOR AND MY PRESENT ATTORNEY TO SPEAK TO THE JAIL TO ARRANGE AT LEAST THAT I WOULD HAVE PHONE COMMUNICATION WITH MY ATTORNEY HAS BEEN TOTALLY IGNORED. THIS IS MY 6TH AMENDMENT RIGHT. THIS CEMENTS WHAT I HAVE SAID PREVIOUSLY IN THIS LETTER. ANY WORK DONE IN MY CASE HAS BEEN DONE BY ME AND ME ALONE IN THE ~~same~~ CONDITIONS OF A JAIL CELL. NOT FAIR, NOT RIGHT, NOT CONSTITUTIONAL.

OVER →

YOUR HONOR, IF FOR SOME REASON
 YOU DO NOT ALLOW ME BAIL, PLEASE
 IF YOU WOULD MAKE ARRANGEMENT IMMEDIATELY
 THAT FROM THIS COURT I AM PLACED IN ANOTHER
 JAIL. THIS JAIL HAS NOT TREATED ME PROPER
 AND UNDER THE CIRCUMSTANCES I NO LONGER
 FEEL SAFE AND MY HEALTH IS AT RISK.

PUTTING ME IN DETENTION IS MUCH TOO ABUSIVE
 TO MY HEALTH AND I CANNOT FUNCTION THE
 WAY I SHOULD. IN ADDITION THE JAIL HAS
 NOT TOLD THE TRUTH AND TRYING TO KEEP ME
 QUIET BECAUSE OF THE POTENTIAL RESPONSIBILITY
 IT HAS TO PROTECT ITS INMATES. I AM TOLD
 THAT GEO JAIL IN QUEENS WOULD BE THE BEST
 FOR ME BECAUSE OF MY AGE AND CIRCUMSTANCES.
 PLEASE HAVE THE MARSHAL MAKE THOSE
 ARRANGEMENTS DIRECTLY FROM YOUR COURT
 ON FRI 4/10. OF COURSE ONLY IF ~~IF~~
 YOU ARE GOING TO GRANT ME BAIL. ~~IF~~

~~AM~~ THANK YOU FOR TAKING THE TIME
 TO READ THIS LETTER AND PLEASE CONSIDER
 MY REQUESTS. I AM A GOOD MAN AND THE
 EVIDENCE IS THAT FOR 63 YEARS I HAVE
 NEVER BEEN IN TROUBLE FOR ANY CRIMINAL
 ACTS OR EVEN CLOSE.

P.S. I FORGOT TO MENTION I STILL HAVE MY
 OPERATING AUTHORITY AND LICENSE WITH THE US GOVERNMENT
 FOR ONE OF MY SOLELY OWNED COMPANIES FOR 35 YEARS
 NEVER CANCELLED. I CAN'T BE MUCH OF A FRAUD
 STILL HAVING THAT FOR AS LONG AS I HAVE.